

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

HMK ENTERPRISES, INC.,
ROBERT ACKERMAN and
STEVEN KAROL.,

Plaintiffs,

V.

) Civil Action No. 04-12688-MLW

THE CHUBB CORPORATION
FEDERAL INSURANCE COMPANY
CHUBB & SON, INC.

Defendant.

**RULE 26(a)(1) DISCLOSURES OF
DEFENDANT FEDERAL INSURANCE COMPANY**

Defendant Federal Insurance Company (“Federal”), pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, hereby makes the following disclosures:

I. INDIVIDUALS WITH DISCOVERABLE INFORMATION THAT MAY BE USED TO SUPPORT FEDERAL'S CLAIMS AND DEFENSES

1. J. Steve Bailey
Chubb & Son, a division of
Federal Insurance Company
2001 Bryan Street, Suite 3400
Dallas, TX 75210-3068

Subjects: Federal's coverage position in this matter.

2. Clifford C. Ruder
Chubb & Son, a division of
Federal Insurance Company
2001 Bryan Street, Suite 3400
Dallas, TX 75210-3068

Subjects: Federal's coverage position in this matter.

3. Jane Karol
276 Pope Rd.
Acton, MA 01720

Subjects: The events and claims at issue in the Underlying Action including, but not limited to, the alleged ill-gotten gain and fraudulent transfers received by HMK and its shareholders and principals.

4. Steven E. Karol
Watermill Ventures & Watermill Advisors
Watermill Center
800 South Street, Suite 355
Waltham, MA 02453-1435

Subjects: The events and claims at issue in the Underlying Action including, but not limited to, the alleged ill-gotten gain and fraudulent transfers received by HMK and its shareholders and principals. The conduct of the Underlying Action, including the settlement thereof. The claim for insurance coverage submitted by the plaintiffs.

5. Robert W. Ackerman
Watermill Ventures & Watermill Advisors
Watermill Center
800 South Street, Suite 355
Waltham, MA 02453-1435

Subjects: The events and claims at issue in the Underlying Action including, but not limited to, the alleged ill-gotten gain and fraudulent transfers received by HMK and its shareholders and principals. The conduct of the Underlying Action, including the settlement thereof. The claim for insurance coverage submitted by the plaintiffs.

6. Howard Cooper, Esq.
Todd & Weld, LLP
28 State Street
Boston, MA 02109

Subjects: The events and claims at issue in the Underlying Action including, but not limited to, the alleged ill-gotten gain and fraudulent transfers received by HMK and its shareholders and principals. The conduct of the Underlying Action, including the settlement thereof. The claim for insurance coverage submitted by the plaintiffs.

7. Heidi Nadel, Esq.
Todd & Weld, LLP
28 State Street
Boston, MA 02109

Subjects: The events and claims at issue in the Underlying Action. The conduct of the Underlying Action, including the settlement thereof. The claim for insurance coverage submitted by the plaintiffs.

8. Julie Green, Esq.
Todd & Weld, LLP
28 State Street
Boston, MA 02109

Subjects: The events and claims at issue in the Underlying Action. The conduct of the Underlying Action, including the settlement thereof. The claim for insurance coverage submitted by the plaintiffs.

9. J. Owen Todd, Esq.
Todd & Weld, LLP
28 State Street
Boston, MA 02109

Subjects: The events and claims at issue in the Underlying Action. The conduct of the Underlying Action, including the settlement thereof. The claim for insurance coverage submitted by the plaintiffs.

10. Frederic Dorwart, Esq.
FREDERIC DORWART, LAWYERS
Old City Hall
124 East Fourth Street
Tulsa, OK 74103-5010

Subjects: The events and claims at issue in the Underlying Action. The conduct of the Underlying Action, including the settlement thereof. The claim for insurance coverage submitted by the plaintiffs.

11. Lawyers at the law firm of Goodwin and Procter, including Don M. Kennedy.

Goodwin and Procter
Exchange Place
Boston, MA 02109

Subjects: The events and claims at issue in the Underlying Action. The conduct of the Underlying Action, including the settlement thereof. The claim for insurance coverage submitted by the plaintiffs.

12. Lawyers at the law firm of Mintz, Levin, Cohen, Ferris, Glovsky and Popeo, P.C., including J. Gotkin, Joseph Blute and Michael Lieberman.

Mintz, Levin, Cohen, Ferris, Glovsky
and Popeo, P.C.
One Financial Center
Boston, MA 02111

Subjects: The events and claims at issue in the Underlying Action. The conduct of the Underlying Action. The claim for insurance coverage submitted by the plaintiffs.

13. All of the named parties and their counsel in Sheffield Steel Corporation v. HMK Enterprises, Inc. et al, No. 03-0134 (Bankr. N.D.Okla.).

Subjects: The events and claims at issue in the Underlying Action. The conduct of the Underlying Action, including the settlement thereof. The claim for insurance coverage submitted by the plaintiffs.

14. Directors and officers, employees and other agents of HMK Enterprises and Sheffield Steel Corporation.

Subjects: The events and claims at issue in the Underlying Action. The conduct of the Underlying Action, including the settlement thereof. The claim for insurance coverage submitted by the plaintiffs.

15. Persons listed in the Rule 26(a)(1) disclosures of any of the parties to this action.

16. Persons identified in answers to interrogatories and in responses to other discovery propounded by any of the parties to this action.

II. DOCUMENTS

The claim files include documents that may be used to support Federal's claims and defenses in this case, including without limitation the following categories: the Federal policy; correspondence with, between, or among Federal, the insureds, and others relating to the Federal policy or the Underlying Action; internal notes relating to the Underlying Action and the determination of coverage therefore; and pleadings and filings from the Underlying Action. The claim files are maintained by Federal principally at its office in Dallas, Texas. By describing these categories of documents, Federal does not concede that they are discoverable in whole or in part, and specifically reserves the right to maintain that documents are not discoverable under

Massachusetts or federal law. Furthermore, documents, now unknown, may be in the possession of other parties to this action, including the plaintiffs, or third parties, that are relevant to the claims and defenses asserted herein.

III. RULE 26(a)(1)(C) &(D) DISCLOSURES

The information addressed in Rule 26(a)(1)(C) and (D) is not applicable to Federal.

Respectfully submitted,

By: /s/ Lee M. Holland
Stephen J. Abarbanel (BBO #010100)
Lee M. Holland (BBO #650617)
Robinson & Cole L.L.P.
One Boston Place
Boston, MA 02108-4404
(617) 557-5938
Fax (617) 557-5999

Jonathan A. Constine, Esquire
Douglas S. Crosno, Esquire
HOGAN & HARTSON, L.L.P.
555 13th Street, N.W.
Washington, DC 20004
Telephone: (202) 637-5870
Facsimile: (202) 637-5910

Attorneys for The Chubb Corporation, Federal
Insurance Company, and Chubb & Son Inc.